

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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JP MORGAN CHASE BANK, N.A.

Plaintiff,

v.

SMITH, et al.,

Defendants.

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Civil Action No. 08-1457 (SDW)

**ORDER**

July 28, 2008

**ORDER ADOPTING THE REPORT AND RECOMMENDATION  
OF THE MAGISTRATE JUDGE**

This matter comes before the Court on the Report and Recommendation of United States Magistrate Judge Madeline C. Arleo, filed July 10, 2008. The Court having received no objections to the Report and Recommendation; and the Court having reviewed the Report and Recommendation, as well as the other documents on file on this matter; and for good cause shown;

It is on this 28th day of July 2008, **ORDERED** that the Report and Recommendation of Magistrate Judge Arleo filed, July 10, 2008, is hereby **ADOPTED** as the facts and conclusions of law of this Court.

Plaintiff's Motion to Remand (Docket Entry No. 3) is hereby **GRANTED**; the matter is remanded in its entirety to the Superior Court of New Jersey, Essex County: Chancery Division; Defendants' Motion to Dismiss (Docket Entry No. 7) is hereby **DENIED** as moot; and the Clerk of the Court shall remove this case from the Court's active docket.

s/Susan D. Wigenton, U.S.D.J.

Orig: Clerk  
cc: Judge Arleo  
Parties